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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/521,245	08/26/2005	Oliver Price	C2028-7000US	8570
37462 7590 07/25/2008 LOWRIE, LANDO & ANASTAS, LLP ONE MAIN STREET, SUITE 1100 CAMBRIDGE, MA 02142				
EXAMINER				
MARSH, STEVEN M				
ART UNIT		PAPER NUMBER		
3632				
NOTIFICATION DATE		DELIVERY MODE		
07/25/2008		ELECTRONIC		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

docketing@ll-a.com  
gengelso@ll-a.com

### Office Action Summary

**Application No.**

10/521,245

**Applicant(s)**

PRICE ET AL.

**Examiner**

STEVEN M. MARSH

**Art Unit**

3632

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 14 April 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) 1-9 and 18-20 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 10-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/CDC)
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date: \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_
- Paper No(s)/Mail Date: \_\_\_\_\_

### **DETAILED ACTION**

This is the second office action for U.S. Application 10/521,245 for a Support for Electrical Display Device filed on August 26, 2005. Claims 1-20 are pending.

#### ***Election/Restrictions***

Claims 1-9 and 18-20 are withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected species, there being no allowable generic or linking claim. Applicant timely traversed the restriction (election) requirement in the reply filed on April 14, 2008. Applicant's election with traverse of Species 2 in the reply filed on April 14, 2008 is acknowledged. The traversal is on the ground(s) that Species 2 and 3 are related because they have certain features in common. This is not found persuasive because features listed are well known in the art and do not appear to be crucial to the inventive concept, which appears to be the mounting itself. Searching for the different mountings would place an undue burden upon the Examiner.

The requirement is still deemed proper and is therefore made FINAL.

#### ***Claim Objections***

Claims 11-13 are objected to because of the following informalities: Applicant refers to "the support member" in the claims, but there are two support members. The claims should indicate which support member is being referenced. Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 10-17 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent 6,863,252 to Bosson. Bosson discloses a support for an electrical display device with a pair of support members (80 and 2B1,2B2) connected by a universal joint comprising a part spherical bearing (83... if the sides are rounded it will be spherical) immovably mounted on one support member. The bearing is received within a bearing seat (961) pivotally mounted to the other support member to enable relative movement between the bearing and the bearing seat in any direction and, between the bearing seat and the other support member about a pivot axis. The bearing seat comprises a looped element that supports and partially encircles the bearing and the ends of the looped element are pivotally mounted to the support member. There are corresponding apertures formed in the ends of the looped element and the support member to receive a fastening member (6) to pivotally attach the looped element to the support member so that a compressive force is exerted by the looped element on the bearing, and there is a resilient material layer (9, 41) disposed between at least one end of the looped element and the support member to enable the compressive force by tightening or loosening the fastening member. One support member is a support arm (2B1, 2B2) and the other is a support plate (80) to receive and mount a display device. The bearing is immovably

mounted to the support plate and the bearing seat is pivotally mounted to the support arm to enable rotation of the bearing seat about the pivot axis. The support plate includes a mounting surface for the display device and a socket (70) to receive and immovably mount the bearing, the bearing and support plate being integral.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US 4382572 to Thompson

US 6758454 to Smed

US 2005/0127261 to Lin

US 6915996 to Lin

US 7398950 to Hung

The above patents disclose support and arm assemblies.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven Marsh whose telephone number is (571) 272-6819. The examiner can normally be reached on Monday-Friday from 8:00AM to 4:30 PM. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone

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number is (571) 272-3600. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

/Steven M Marsh/

Primary Examiner, Art Unit 3632

July 21, 2008